

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONSERVATION LAW FOUNDATION  
and THE SURFRIDER FOUNDATION,

*Plaintiff,*

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

*Defendants.*

Civil Action No. 1:20-cv-11827

**NOTICE OF VOLUNTARY DISMISSAL  
PURSUANT TO FED. R. CIV. P.  
41(a)(1)(A)(i)**

**NOTICE OF VOLUNTARY DISMISSAL**

Plaintiffs Conservation Law Foundation and The Surfrider Foundation hereby give notice that this action is voluntarily dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i):

1. Federal Rule of Civil Procedure 41(a)(1)(A)(i) allows a plaintiff to voluntarily dismiss by filing a notice if the opposing party has not yet served an answer or motion for summary judgment. Defendants have served neither in this case.

2. On February 4, 2021, Defendants withdrew the policy relating to Supplemental Environmental Projects at issue in this case. *See* Memo. from Jean Williams, Deputy Assistant Attorney General (ENRD), Re: Withdrawal of Memoranda and Policy Documents, Feb. 4, 2021, at <https://www.justice.gov/enrd/page/file/1364716/download>.

3. Plaintiffs therefore voluntarily dismiss this action without prejudice. Each side will bear their own costs and fees.

Dated: February 5, 2021

Respectfully submitted,

/s/ Michael Ceja Martinez

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**CERTIFICATE OF SERVICE**

I certify that this document was filed through the Court's ECF system, which will cause copies to be sent to all counsel of record.

Dated: February 5, 2021

/s/ Michael Ceja Martinez  
MICHAEL CEJA MARTINEZ